Attorney's Docket No.: <u>INTEL- 0071</u> <u>PATENT</u>

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (FOR INTEL CORPORATION PATENT APPLICATIONS).

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled \_\_\_\_

the specification of which

$\mathbf{X}$	is attached hereto.	
	was filed on (MM/DD/YYYY) as United States Application Number	_or PCT
_	International Application Number and was amended on (MM/DD/YYY applicable)	Y) (if

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

1 acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s	1		Priority <u>Claimed</u>
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)	Yes No
I hereby claim the benefit provisional application(s) list		tes Code, Section 119(e	) of any United States
Application Number	(Filing Date – M	M/DD/YYYY)	
Application Number	(Filing Date – M	M/DD/YYYY)	
I hereby claim the benefit application(s) listed below is not disclosed in the prio of Title 35, United States known to me to be mater Section 1.56 which became or PCT international filing of	and, insofar as the subject r United States application Code, Section 112, I acliated rial to patentability as defi e available between the fili	t matter of each of the cla in the manner provided knowledge the duty to coned in Title 37, Code o	aims of this applicatior by the first paragraph lisclose all information f Federal Regulations
Application Number	(Filing Date – MM/DD/	•	nted, ding, abandoned
Application Number	(Filing Date – MM/DD/	•	nted, ding, abandoned

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

# Send correspondence to <u>Mark L. Fleshner</u>, FLESHNER & KIM, LLP (Name of Attorney or Agent)

P.O. Box 221200, Chantilly, Virginia 20153-1200 and direct telephone calls to

\_\_ at (703) 766-3701. (Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Santanu CHAUDHURI
Inventor's Signature Date
Residence mountain View, CA Citizenship Indian (City, State)
Post Office Address 1983 San Luis Avenue, #8
Full Name of Second/Joint Inventor <u>James MCCALL</u>
Inventor's Signature Date
Residence Beaverton, OR Citizenship USA (City, State)
Post Office Address16745 SW Whitley Way
Full Name of Third/Joint Inventor Konika GANGULY
nventor's Signature Date
Residence Portland, OR Citizenship USA (City, State)

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Full Name of Sole/First Inventor Santanu CHAUDHURI	
Inventor's Signature	Date
Residence mountain View, CA Citiz (City, State)	renship <u>Indian</u> (Country)
Post Office Address 1983 San Luis Avenue, #8	
Full Name of Second/Joint Inventor James MCCALL	
Inventor's Signature	Date 3/2/2ルツ
Residence Beaverton, OR Citizensi (City, State)	nip USA (Country)
Post Office Address 16745 SW Whitley Way	
Full Name of Third/Joint Inventor Konika GANGULY	
Inventor's Signature Konikefunguly	Date <u>3/3/2009</u>
Residence Portland, OR Citizenship	USA

INTEL CORPORATION Rev. 07/25/02 (D3 INTEL)

Full Name of Fourth/Joint Inventor Michael GUTZMANN			
Inventor's S	ignature	Date	
Residence	Forest Grove, OR Citizenship (City,State)	Germany (Country)	
Full Name o	of Fifth/Joint Inventor Sanjay DABRAL		
Inventor's Si	ignature School	Date 26 FEB 2004	
Residence	Palo Alto, CA Citizenship India (City/State)	an Intry)	
Full Name of	f Sixth/Joint Inventor <u>Ken DROTTAR</u>		
		_ Date 26 Feb 2004	
Residence (	Portland, OR Citizenship USA City, State) (Countr	у)	
Full Name of	Seventh/Joint Inventor Alok TRIPATHI		
Inventor's Sig	gnature	Date	
Residence <u>E</u>	Beaverton, OR Citizenship India City, State) (Coun	a	
Full Name of Eight/Joint Inventor Kersi VAKIL			
nventor's Sig	nature	Date	
Residence <u>C</u> (C	<u>Olympia, WA</u> Citizenship <u>India</u> ity, State) (Countr		

Full Name of Fourth/Joint Inventor Michael GUTZMANN	
Inventor's Signature	Date
Residence Forest Grove, OR Citizensh (City,State)	nip Germany (Country)
Full Name of Fifth/Joint Inventor Sanjay DABRAL	
Inventor's Signature	Date
Residence Palo Alto, CA Citizenship (City/State)	Indian (Country)
Full Name of Sixth/Joint Inventor Ken DROTTAR	
Inventor's Signature	Date
Residence Portland, OR Citizenship (City, State)	USA ountry)
Full Name of Seventh/Joint Inventor Alok TRIPATHI	
Inventor's Signature	Date
Residence Beaverton, ORCitizenship	(Country)
Full Name of Eight/Joint Inventor Kersi VAKIL	
Inventor's Signature	Date 62/26/04
Residence Olympia, WA Citizenship	India Country)

Full Name of Fourth/Joint Inventor Michael GUTZMANN	
Inventor's Signature	Date
Residence Forest Grove, OR Citizenship (City, State)	Germany (Country)
Full Name of Fifth/Joint Inventor Saniay DABRAL	
Inventor's Signature	Date
Residence Palo Alto, CA Citizenship India (City/State)	n ntry)
Full Name of Sixth/Joint Inventor Ken DROTTAR	
Inventor's Signature	
Residence <u>Portland, OR</u> Citizenship <u>USA</u> (City, State) (Country	у)
Full Name of Seventh/Joint Inventor Alok TRIPATHI	
Inventor's Signature	Date 3/2/2004
Residence <u>Beaverton, OR</u> Citizenship <u>Indi</u> (City, State) (Cour	ia ntry)
Full Name of Eight/Joint Inventor Kersi VAKIL	
Inventor's Signature	Date
Residence Olympia, WA Citizenship India	in the second se

#### APPENDIX A

Daniel Y.J. Kim, Req. No. 36,186; Mark L. Fleshner, Reg. No. 34,596; Carl R. Wesolowski, Reg. No. 40,372; John C. Eisenhart, Reg. No. 38,128; Carol L. Druzbick, Reg. No. 40,287; Laura L. Lee, Reg. No. 48,752; Rene A. Vazquez, Reg. No. 38,647; Donald R. McPhail, Reg. No. 35,811; Samuel W. Ntiros, Reg. No. 39,318; Reg. No. 46,507; David C. Oren, Reg. No. 38,694 my patent attorneys, and Timothy M. Speer, Reg. No. 47,355; Daniel H. Sherr, Reg. No. 46,425; my patent agents, of FLESHNER & KIM, LLP, with offices located at P.O. Box 221200, Chantilly, Virginia 20153-1200, telephone (703)502-9440, and Alan K. Aldous, Reg. No. 31,905; Ed Brake, Reg. No. 37,784; Ben Burge, Reg. No. 42,372; Robert A. Burtzlaff, Reg. No. 35,466; Richard C. Calderwood, Reg. No. 35,468; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg No. 39,973; Jeffrey B. Huter, Reg. No. 41,086; John Kacvinsky, Reg. No. 40,040; Seth Z. Kalson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; Peter Lam, Reg. No. 44,855; Anthony Martinez, Reg No. 44,223; Paul Nagy, Reg. No. 37,896; Dennis A. Nicholls, Reg. No. 42,036; Leo V. Novakoski, Reg. No. 37,198; Lanny-Parker, Reg. No. 44,281; Thomas-C. Reynolds, Reg. No. 32,488; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Robert G. Winkle, Reg. No. 37,474; Sharon Wong, Reg. No. 37,760; Steven D. Yates, Reg. No. 42,242; Calvin E. Wells; Reg. No. 43,256 and Charles K. Young, Reg. No. 39,435, my patent attorneys, of INTEL CORPORATION; and James R. Thein, Reg. No. 31,710, my patent agent; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

#### APPENDIX B

### Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.